



INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
400 ARMY NAVY DRIVE
ARLINGTON, VIRGINIA 22202-4704

July 2, 2004

INSPECTOR GENERAL INSTRUCTION 5400.7

Subject: Freedom of Information Act (FOIA) Program

References:

- a. Section 552 of Title 5, United States Code, "Freedom of Information Act."
- b. DoD Directive 5400.7, "DoD Freedom of Information Act (FOIA) Program," September 29, 1997, Change 1, June 17, 2002.
- c. DoD 5400.7-R, "DoD Freedom of Information Act Program," September 1998.

A. Purpose. This Instruction establishes the policy and sets forth the procedures by which the public may obtain information and records from the Office of the Inspector General of the Department of Defense (OIG DoD) in accordance with references a, b, and c.

B. Cancellation. This Instruction supersedes IGDINST 5400.7, "Office of the Inspector General Freedom of Information Act Program," June 5, 2001.

C. Applicability. This Instruction applies to the offices of the Inspector General, the Deputy Inspectors General; the Assistant Inspectors General; all OIG DoD assigned staffs and offices, and, as appropriate, the Office of the Deputy General Counsel (Inspector General). For purposes of this instruction, these organizations are referred to collectively as OIG components.

D. Policy. It is the OIG DoD policy to promote public trust by making the maximum amount of information available to the public consistent with the requirements outlined in references a, b, and c.

E. Responsibilities

1. The **Assistant Inspector General (AIG), Office of Communications and Congressional Liaison (OCCL)**, is responsible for:

- a. Directing and administering the OIG FOIA Program within the OIG DoD. The AIG, OCCL, shall designate the Chief, FOIA/Privacy Act (PA) Office, as the office of record and point of contact (POC) for the OIG components in matters pertaining to the OIG FOIA Program.

- b. Designating the Chief, FOIA/PA Office, as the Initial Denial Authority (IDA).

- c. Serving as the Appellate Authority for the OIG DoD when a requester appeals a denial under the Freedom of Information Act.

d. Coordinating all appellate decisions with the Office of the Deputy General Counsel (Inspector General), DoD.

2. The **Chief, Freedom of Information Act and Privacy Act Office**, will:

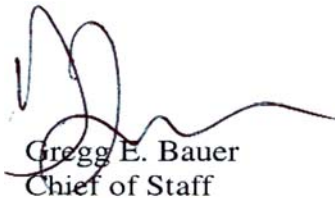
- a. Serve as the point of contact on all FOIA matters for the OIG DoD.
- b. Prepare the Annual Report on the FOIA as required by references a, b, and c.
- c. Administer all OIG DoD FOIA Program requirements specified by references a, b, and c.
- d. Ensure that annual training is given to all OIG components FOIA points of contact and other related personnel.

3. The **OIG Component Heads** will:

- a. Comply with the policy and procedures established by this Instruction and those set forth in references a, b, and c, and assure compliance by their subcomponents.
- b. Designate a POC to interact with the FOIA/PA Office on all FOIA matters.

F. Effective Date. This Instruction is effective immediately.

FOR THE INSPECTOR GENERAL:



Gregg E. Bauer
Chief of Staff